

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON SEPTEMBER 18, 2013 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE.**

**Mayor and Council Members Present:** Mayor Brent Marshall and Council Members Mike Johnson, Mike Colson, Scott Stice, and Neil Critchlow. Councilman Tom Tripp participated in the meeting by telephone.

**Appointed Officers and Employees Present:** Joel Linares and Christine Webb.

**Citizens and Guests Present:** Colleen Brunson, Kent Liddiard, Todd Castagno, Chris Drent, Dawnee Johnston, Gail Johnston, Marie Schultz, Jim Schultz, Justin Linares, Eric Johnsen, and Lisa Christensen.

Mayor Marshall asked Councilman Critchlow to lead the audience in the Pledge of Allegiance.

**AGENDA:**

**1. Mayor Youth Awards.**

The following students were recognized for their accomplishments and were awarded certificates and gifts by the Mayor and City Council:

- Andre Bagley
- Nikole Titara
- Nathan Hunter

**2. Public Hearing:**

- a. Annexation Petition filed by Leo R. Johnson, Val J. Smith and Gay Zwahlen-Muir seeking to annex approximately 505 acres into the corporate boundaries of Grantsville City.**

Mayor Marshall opened the public hearing for comments. No comments were made and the Mayor closed the public hearing.

- b. Proposed amendment to the budget to allow for the purchase of real property located at 319 West Clark Street.**

Mayor Marshall opened the public hearing for comments. No comments were offered and the Mayor closed the public hearing.

**3. Summary Action Items:**

- a. Approval of Minutes from the September 4, 2013 City Council Meeting.
- b. Approval of Bills in the sum of \$289,463.82.

- c. Personnel Matters (none).

**Motion:** Councilman Stice made a motion to approve the summary action items. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

**4. Consideration of awarding the lease for the Clark Farm Corrals.**

Mayor Marshall stated the City received one proposal to lease the corrals at the Clark Farm. It was received from Harold Chadwick. Councilman Critchlow reported he met with the Clark Farm people. They would like to meet with Mr. Chadwick to discuss the gate he has proposed.

**Motion:** Councilman Critchlow made a motion to accept the proposal for use of the corrals at the Clark Farm for the price of \$100 per month for three (3) horses from Harold Chadwick. The motion was seconded by Councilman Colson. All voted in favor and the motion carried.

**5. Consideration of Ordinance No. 2013- 20 granting annexation petition to Leo R. Johnson to annex approximately 505 acres located to the northwest of Grantsville into the corporate boundaries of Grantsville City.**

Mayor Marshall presented Ordinance No. 2013-20, an ordinance granting annexation petition to Leo R. Johnson to annex approximately 505 acres located northwest of Grantsville into the corporate boundaries of Grantsville City.

**Motion:** Councilman Johnson made a motion to approve Ordinance 2013-20. The motion was seconded by Councilman Stice. All voted in favor and the motion carried.

**6. Consideration of revocation of Wild Biker Honey, Inc., dba Stan and Amy's Delivery Services' business license for violation of the terms of the Grantsville City issued business license.**

Mayor Marshall turned this matter over to the City Attorney, Joel Linares. Mr. Linares explained the business license was issued to this business for a delivery service. The City began receiving complaints. Upon investigation it was determined the business was not licensed to provide business services they were advertising which were for senior shuttle service, long term contracts for rides and travel packages. One of their fliers listed the business as Stan and Amy's Taxi and Travel. These were not listed on the business license application. We started having employees contact the City to complain about the business practices. Mr. Linares reported he pulled the licenses of the co-applicants and neither one had the proper endorsements in the State of Utah to operate a taxi themselves. They were not licensed to run this kind of business, they weren't licensed with the State to perform this service legally and they were not bonded or insured. Our main concern was that if they had a patron in their car and were involved in an accident; they did not have insurance. This would have left our citizens without anyone to cover injuries if they were in an accident.

The City issued a cease and desist order on September 12<sup>th</sup> which was delivered by Chief Turner of the Grantsville Police Department. The cease and desist order temporarily revoked the business license. Mr. Linares has had employees come in to state they are still operating the business. This item was submitted to the City Council to review and revoke the business license. Mr. Linares explained the City Code in this

matter and that the owners were told they had the right to attend the meeting or have their counsel attend and present their side of the matter. There was a gentleman here this evening who stated he was an employee they asked to attend and speak on their behalf. Mr. Linares said he had no idea if he was an employee or what he would speak to. Mr. Linares told him he could not speak as he was not one of the applicants or an attorney. The applicants were not present.

Mr. Linares asked the Council to revoke the license and make them follow the procedures to get a new license. If they want to conduct a business providing shuttle and taxi service, they can get the proper licenses, insurance, bonding and endorsements through the State.

Councilman Colson asked if they had representation present. It was reported they did not. Councilman Johnson asked about the proper endorsements on their driver licenses and if they had driver licenses. Mr. Linares answered that only one of the applicants had a driver license and it did not have the proper endorsements. Mr. and Mrs. Sandoval were in violation of State Code by not having the proper insurance and bonds or licenses to run this type of business. They were also in violation of the City Code by operating outside the scope of the license which they were issued.

**Motion:** Councilman Critchlow made a motion to revoke the business license from Wild Biker Honey, Inc dba Stan and Amy's Delivery Service. Councilman Johnson seconded the motion. Councilman Stice addressed the citizens at the City Council Meeting and explained why the City issues business licenses. All voted in favor and the motion carried.

**7. Consideration of a General Plan amendment for Chris Drent at approximately 151 West Vegas Street to go from a Rural Residential – 2 designation (allowing 1 unit per 5 acres to 1 unit per 10 acres) to a Rural Residential – 1 designation (allowing residential densities of 1 unit per 1 acre to 1 unit per 10 acres) for the purpose of a single family lot subdivision.**

Mayor Marshall stated he did receive an email from Guy Stewart in favor of the development. Chris Drent addressed the City Council. He explained his development which was the same as he presented at the August 21<sup>st</sup> City Council Meeting. He said he and his partner met with Lynn Taylor at the Grantsville Irrigation Company. He presented the findings from his meeting.

Councilman Stice stated he was not opposed to a General Plan amendment with a two-year time limit on it. Councilman Johnson inquired about future developments under the amendment. It was suggested a line be drawn around the development. Councilman Colson argued this development will not necessarily help the City but will cost the City in road maintenance.

(Please refer to the minutes from the August 21, 2013 meeting for details on the subdivision.)

**Motion:** Councilman Stice made a motion to approve the General Plan Amendment with a two year stipulation that if the development does not approve, the property will revert back to the General Plan as before. Councilman Critchlow seconded the motion. Councilman Stice and Councilman Critchlow voted in favor of the motion. Councilman Tripp, Councilman Colson and Councilman Johnson voted against the motion. The General Plan amendment was denied.

**8. Consideration of contract for the Hasler postage machine.**

Mayor Marshall explained the City has a postage machine and this is a contract to pay them for the postage.

**Motion:** Councilman Tripp made a motion to approve the contract for the Hasler postage machine. Councilman Stice seconded the motion. All voted in favor and the motion carried.

**9. Consideration of a final plat on Ranch Road Subdivision Phase 3A, which contains twenty (20) lots for Adam Nash.**

Mr. Marshall explained this is the final phase necessary before it can be recorded. Adam Nash addressed the City Council. He stated they are looking to start construction early next week. The project will be paved about Halloween and homes would start in the spring. Councilman Critchlow reported the Planning and Zoning Commission approved the final plat.

**Motion:** Councilman Critchlow made a motion to approve the final plat on Ranch Road Subdivision Phase 3A. Councilman Colson seconded the motion. All in favor and the motion carried.

Councilman Tripp reported there is still a problem with contractors going up and down Eastmoor. Mr. Nash stated they discussed it at the pre-construction meeting. They have asked the primary contractors to use Durfee Street. It was suggested that a sign be placed to state no construction vehicles allowed on Eastmoor. Mr. Nash stated they like working in Grantsville. Shauna Kertamus has been good to work with, as have Joel Linares, Joel Kertamus and Mayor Marshall. Mr. Nash said they have all worked with him on various issues and he expressed his appreciation.

**10. Mayor and Council Reports.**

Mayor Marshall met with Rocky Mountain Power about the power issues and project 12. Project 12 is a power line replacement on Main Street to move the power poles approximately fifteen (15) feet to the north straightening the pole line and replacing the power lines. Power poles will still be in the public easement. The Mayor received \$1500 from Rocky Mountain Power to plant trees at the new park. He attended the EDC Utah meeting, Utah League of Cities and Towns, the GOP dinner and the Small Business Development meeting. Mayor Marshall reported he will have a tree planting party on Monday, September 23<sup>rd</sup> at Hollywood Park. He explained the grass planting at Hollywood Park was completed today. The Mayor met with the Soil Conservation District on a proposed water line from the South Water tank to the South Willow tank. Mayor Marshall said UTA is having a training day to use the buses on October 9<sup>th</sup> from 8:00 a.m. until 6:00 p.m. It will be free to ride from Grantsville to Tooele during this time. More information will be put in the Mayor's newsletter. He announced on October 8<sup>th</sup> at 4:00 p.m. there will be a piece of the World Trade Center at the Grantsville Fire Station. There will be a short program and viewing from 6:00 – 8:00 p.m. Attendance is free. Donations will be accepted.

Councilman Stice stated Hale Street looks really nice. The Erda Way turn is nice as well. He asked about the lawn in front of City Hall and stated it is higher than the sidewalk. The Mayor said it was due to the wind blowing the dirt from across the street.

Councilman Critchlow reported on the Planning and Zoning Meeting. He asked about the weeds on the corner of Hale Street and North Street being cut down. On the corner of Clark Street and Center Street the sidewalk is raised and Councilman Critchlow asked to have it looked at. Councilman Critchlow stated he met with the Friends of the Clark Farm and reported on the planned activities.

Councilman Tripp said he had planned to report the same things. He received comments from the soccer teams. The lawn was mowed four times.

Councilman Colson stated Hale Street turned out well and he has received many positive comments.

Mayor Marshall explained reasons for the public hearing placed on the agenda due to the budget amendment.

Lisa Nelson expressed appreciation to the City Council and Mayor for their support of the Clark Farm activities. She was grateful for the mowing of the soccer fields as well.

Frank Clark asked the Council about the business license for Wild Biker Honey, Inc. He was told the business license was revoked. He asked on what grounds it was revoked. He was told it was revoked for non-conformance to the business licensing rules.

#### **11. Closed Session (Personnel, Real Estate, Imminent Litigation).**

**Motion:** Councilman Stice made a motion to enter a closed session. Councilman Johnson seconded the motion. All in voted in favor and the Council went into a closed session at 8:30 p.m.

**Motion:** Councilman Critchlow made a motion to go back into an open session. Councilman Stice seconded the motion. All voted in favor and the Council ended the closed session.

#### **12. Adjourn.**

**Motion:** Councilman Stice made a motion to adjourn. The motion was seconded by Councilman Colson. All voted in favor and the meeting was adjourned at 9:15 p.m.